

MINUTE ITEM

15. (EXCHANGE APPLICATION NO. 65, LOS ANGELES LAND DISTRICT, IMPERIAL COUNTY, DELBERT JAMES SARGENT - S.W.O. 5729.)

After presentation of Calendar Item 7 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

IN THE EVENT THE STATE IS SUCCESSFUL IN ACQUIRING TITLE TO THE LAND EMBRACED IN EXCHANGE APPLICATION NO. 65 OF DELBERT JAMES SARGENT, S.W.O. 5729, THE SALE IS AUTHORIZED OF SAID LAND TO THE APPLICANT AT THE APPRAISED MARKET VALUE WITHOUT COMPETITIVE BIDDING.

Attachment

Calendar Item 7 (1 page)

CALENDAR ITEM

MISCELLANEOUS

7.

(EXCHANGE APPLICATION NO. 65, S.W.O. 5729, LOS ANGELES LAND DISTRICT, IMPERIAL COUNTY, DELBERT JAMES SARGENT.)

An offer has been received from Delbert James Sargent of Niland, California, to purchase vacant Federal land in Imperial County described as the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of NE $\frac{1}{4}$, SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, S $\frac{1}{2}$ of NE $\frac{1}{4}$ and N $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 2, T. 9 S., R. 12 E., S.B.M., containing 220.125 acres. The applicant made an offer of \$1,100.63, or \$5 per acre.

Originally the State filed an indemnity selection application to acquire said land, which was rejected by decision of the Bureau of Land Management dated August 5, 1954 for the reason that the land was currently embraced in a first form reclamation withdrawal. In view of the withdrawal, the only means by which a State application could be filed was under the exchange procedure, pursuant to the provisions of Section 8 of the Taylor Grazing Act (Act of Congress, approved June 28, 1934). Accordingly a State Exchange Application was transmitted to the Bureau of Land Management on June 10, 1955, covering a portion of the aforesaid lands. An amendment thereto, covering additional acreage, was filed on October 31, 1956 with the Federal Government.

The applicant has requested advice as to whether or not the subject land will be sold under the competitive bidding procedure. Normally, lands acquired under the exchange procedure from the Federal Government are sold by competitive bidding, pursuant to the rules and regulations of the State Lands Commission governing the sale of vacant State school land.

The reason for the applicant's request is that the above-described land is currently leased by him from the Federal Government and improvements to the extent of about \$20,000 have been placed thereon in the conduct of his operation of a tropical fish hatchery. To date the State's application has not been allowed by the Bureau of Land Management, nor is it known when such allowance may be forthcoming.

Had the State's original indemnity selection application been allowed by the Federal Government, the land would have been sold at the appraised fair market value without competitive bidding, pursuant to the rules and regulations of the State Lands Commission governing the indemnity selection procedure. In view of the circumstances, it would appear equitable to sell the land to the applicant at the appraised fair market value without competitive bidding if the State should be successful in acquiring title.

IT IS RECOMMENDED THAT IN THE EVENT THE STATE IS SUCCESSFUL IN ACQUIRING TITLE TO THE LAND EMBRACED IN EXCHANGE APPLICATION NO. 65 OF DELBERT JAMES SARGENT, S.W.O. 5729, THE COMMISSION AUTHORIZE THE SALE OF SAID LAND TO THE APPLICANT AT THE APPRAISED MARKET VALUE WITHOUT COMPETITIVE BIDDING.